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the reasons further set forth below, Applicants respectfully submit that claims 1-8, 10-23, 25-40 and 42-48 are allowable.

At the outset, Applicants again note that Surace is directed to a voice user interface with personality. Surace defines the term "personality," at col. 3, lns. 23-36, as a voice interface that can be one of friendly-dominant, friendly-submissive, unfriendly-dominant and unfriendly-submissive. Thus, depending upon a specific user's preference, the Surace system can provide an appropriate personality to interface with the user. Applicants again note that while Surace provides prompts that are subscriber specific (i.e., friendly-dominant, friendly-submissive, unfriendly-dominant and unfriendly-submissive), the identity of a specific user is determined by a login and password (see Fig. 18 and col. 22, ln. 50 through col. 23, ln. 12) and not by associating a voice input with a specific user. Further, Surace does not disclose a system and/or method that provides adaptive voice feedback when a specific user has not provided voice input for a predetermined user specific time period. That is, Surace does not disclose a speech recognition system that determines, from a voice input, which specific user has provided the voice input. Further, Surace does not disclose using a user specific time period to determine when to provide adaptive voice feedback to a specific user associated with the user specific time period.

In addition, while Polikaitis discloses a system that performs speech recognition and provides instructions for correcting errors associated with a speech signal format, Polikaitis does not add anything to Surace that is relevant to Applicants' claimed subject matter. That is, the fact that Polikaitis discloses that prior art speech recognition systems have not worked when a user does not say anything during a recognition window (col. 1, lns. 44-51) does not in combination with Surace teach or suggest Applicants' claimed subject matter, as is discussed above. In addition, with respect to Polikaitis, col. 2, lns. 46-48, deactivating or halting speech recognition processing so that a user may correct an error (see Fig. 4) in a speech recognition format is not the same as "deactivating a speech recognition driven system when a user has failed to respond to a user specific set number of predetermined user specific time periods at a given level."

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More specifically, with respect to claims 1, 16 and 33, Applicants cannot find any teaching or suggestion in Surace and/or Polikaitis (and/or Everhart with respect to claim 33) which is directed to determining whether voice input is associated with a specific user. Surace, col. 22, lns. 52-54, merely discloses distinguishing one subscriber from another by a login and password. Further, Applicants cannot find any teaching or suggestion in Surace and/or Polikaitis (and/or Everhart) that is directed to using a user specific time period to determine when to provide adaptive voice feedback to a specific user associated with the user specific time period. In addition, Applicants cannot find any teaching or suggestion in Surace and/or Polikaitis (and/or Everhart) which is directed to providing adaptive voice feedback that is level dependent and that provides available commands for a current level.

With respect to the Office Action statement that Surace (Abstract, col. 9, lns. 3-24 and col. 10, ln. 21 through col. 11, ln. 25) teaches level dependent adaptive voice feedback that provides available commands for a current level, the fact that system prompts to a user are set by a user's preference and maybe shortened as a user's experience with the system increases does not teach or suggest providing available level dependent commands to a user.

With respect to claims 2, 17 and 34, Applicants can find no teaching or suggestion in Surace and/or Polikaitis (and/or Everhart with respect to claim 34) that is directed to tracking a number of times in which a user has failed to respond for a predetermined user specific time period at a given level and deactivating a speech recognition driven system when a user has failed to respond for a user specific set number of the predetermined user specific time periods at the given level. With reference to the cited passage at col. 14, lns. 52-57, the cited passage merely discloses tracking the use of a specific prompt in a prompt history. This does not teach or suggest tracking the number of times in which a user has failed to respond for a predetermined user specific time period at a given level. With respect to the cited passage at col. 10, ln. 21 through col. 11, ln. 45, the passage merely discloses lengthening or shortening a prompt provided to a user based upon whether a particular prompt is being repeated in a same session or across sessions. In sum, Applicants agree that Surace does not teach providing adaptive voice feedback to the user when the user has not provided a voice input for a predetermined user specific time period. Further, Applicants submit that the combination of

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Polikaitis and Surace (and/or Everhart) does not teach or suggest such a system, and, again, submit that any assertion to the contrary must be based on impermissible hindsight based on Applicants' disclosure. Again, with respect to Polikaitis, col. 2, lns. 48-50, deactivating or halting speech recognition processing so that a user can correct an error in a speech signal format does not render obvious deactivating a speech recognition system when a user has failed to respond for a user specific set number of predetermined user specific time periods at a given level.

With respect to the Office Action's statement that nonobviousness cannot be established by attacking references separately, Applicants submit that when a reference does not teach or suggest what it is alleged to teach or suggest, nonobviousness is established even when that reference is cited in combination with other references.

Further, with respect to claims 5, 20 and 37, Applicants cannot find any teaching or suggestion in Surace and/or Polikaitis (and/or Everhart with respect to claim 37) that is directed to a speech recognition driven system that adjusts a predetermined user specific time period, or a user specific set number of predetermined user specific time periods as the ability of the specific user changes. In addition, Applicants submit that dependent claims 2-8, 10-15, 17-23, 25-32, 34-40 and 42-48 are also dependent upon allowable claims and, as such, are also allowable for this reason.

Applicants respectfully submit that this response is fully responsive to the Office Action mailed September 11, 2002. With the foregoing discussion, Applicants have fully demonstrated that claims 1-8, 10-23, 25-40 and 42-48 are not obvious in view of the combination of Surace and Polikaitis, nor are the claims obvious in view of the combination of Surace, Polikaitis and Everhart.

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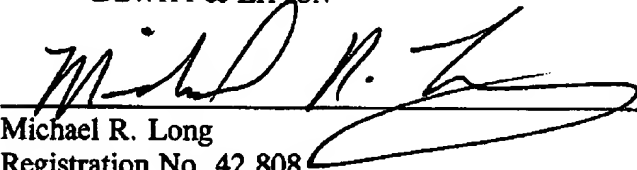
CONCLUSION

For all the foregoing reasons, Applicants respectfully submit that claims 1-8, 10-23, 25-40 and 42-48 are allowable. If the Examiner has any questions or comments with respect to this response, the Examiner is invited to contact the undersigned at (616) 949-9610.

Respectfully submitted,

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